



# OBSERVATÓRIO SOBRE AS ESTRATÉGIAS DA INDÚSTRIA DO TABACO

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BULLETIN 13

## *Editorial*

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In this edition, we will discuss the ongoing debate surrounding electronic smoking devices (ESDs) in Brazil, which continues to take on new and troubling dimensions. The tobacco industry continues to adopt bold strategies to reverse the ban on the sale of ESDs, as stipulated in RDC 855/2024 by the National Health Surveillance Agency (Anvisa). The tobacco industry and its allies have been using digital influencers and other front groups to interfere with Anvisa's policy, which is supported by various sectors of public health and civil society.

This approach can be observed in an interview with journalist Pedro Nakamura, published on the Núcleo portal, which exposed the existence of an illicit marketing campaign involving major influencers and the electronic cigarette brand Ignite. Celebrities such as Gustavo Lima and Kevin Chris have also been linked to the illegal trade of vapes, which are gaining a growing market. Digital influencers, with millions of followers, serve as role models for many young people and adolescents, normalizing the use of ESDs as if they were products that pose no harm to health or the environment.

Nakamura's report and the subsequent developments highlight the need for a broader and more informed public debate on the dangers of electronic cigarettes.

On the political front, the situation remains alarming. Senator Soraya Thronicke (Podemos-MS), dubbed the "Smoking Muse," has become one of the main advocates for the legalization of electronic cigarettes in Brazil. Thronicke has repeatedly downplayed the risks of these devices, claiming that their regulation would be a solution to smuggling. However, her stance reflects more of an attempt to serve the interests of the industry rather than protect the public's health. By advocating for the legalization of ESDs, the senator seems to ignore the robust scientific evidence, widely available, that shows health harms associated with exposure to these devices, such as nicotine addiction and serious respiratory and cardiovascular problems. The senator's public defense of these products raises serious questions about the influence of the tobacco industry's lobbying efforts in Brazil.

In addition to digital marketing campaigns and political maneuvering, the regulatory landscape is also under threat. The tax reform under discussion in Congress, which aims to establish a new way of calculating tax rates on products harmful to health, such as alcoholic beverages and cigarettes, has been the target of intense lobbying by these industries. Groups like the Centro de Cidadania Fiscal (CCiF), which counts British American Tobacco (BAT) among its partners, have presented proposals that, in practice, ease the tax burden on these products. This interference in the legislative process undermines efforts to control tobacco use and perpetuates a cycle of harm to public health.

The tactics employed by the industry are constantly evolving, but the commitment to protecting public health must prevail. Brazil, which has been a successful example in the fight against tobacco for decades, must continue to resist industry pressure and strengthen its tobacco control policies.

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Source: <https://ccif.com.br/parceiros/>

## Tax Reform and the Tobacco Industry's Interests: A Critical View

In recent years, tax reform has been a central topic in Brazil's economic discussions, especially with the proposal to implement a selective tax. This initiative aims to increase tax rates on products harmful to health and the environment, such as alcoholic beverages and cigarettes, as part of an effort not only to discourage the consumption of such products but also to generate revenue for public policy funding. However, the proximity between the tax reform process and the tobacco industry raises serious concerns about the influence of corporate interests on decisions that affect public health.

Bernard Appy, the current Special Secretary for Tax Reform, has a history of interaction with private sector companies. The Centro de Cidadania Fiscal (CCiF), founded by Appy, counts major corporations like AMBEV and British American Tobacco (BAT) among its partners. These partnerships undoubtedly compromise the CCiF's independence.

The selective tax is a crucial issue for the tobacco industry. Companies in this sector have shown an interest in influencing how this tax will be implemented. Historically, these corporations have sought ways to minimize the financial impact of new taxes, even arguing in favor of creating "combat brands" to compete with smuggled cigarettes. This strategy not only diverts attention from public health issues but also perpetuates the cycle of tobacco consumption and addiction.

The central issue lies in the relationship between public policies and corporate interests. While some of these companies claim to work for the public good, the reality is that the involvement of industries whose products are known to harm health, and even cause death, contradicts the mission of promoting public health. The situation becomes even more concerning when considering the evidence that public policies aimed at reducing tobacco consumption are being shaped by those with a history of resisting such changes.

Additionally, the proposal to tax ultra-processed products and sugary beverages, advocated by health professionals and activists, also faces resistance from companies like Ambev and Coca-Cola, partners of the CCiF, which

presents itself as an independent think tank. However, its connections with major industries, notoriously associated with negative externalities, call this independence into question. The fight to protect the economic interests of these corporations undermines the effectiveness of tax reform as a tool for promoting public health and reducing social inequalities.

As Brazil progresses in its discussions on tax reform, it is essential that civil society and public health representatives maintain a critical eye on how decisions are being made. Strengthening policies that prioritize the public's health must take precedence over corporate interests. The fight against tobacco use and other related diseases must not be overshadowed by pressure from companies that have historically benefited from a lack of regulation and resistance to policies that aim to protect public health.

In conclusion, tax reform in Brazil, especially concerning the selective tax, presents a unique opportunity to promote significant changes in favor of public health. However, the influence of the tobacco industry and its allies on the formulation of public policies is a factor that cannot be ignored. It is crucial to establish mechanisms that ensure transparency and true independence in the proposals under discussion, ensuring that the public's well-being is always the priority.

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# Interview

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## Investigating the Covert Promotion of Vapes: An Interview with Pedro Nakamura

The article published by journalist Pedro Nakamura on the Núcleo portal revealed an illicit marketing campaign involving major Brazilian influencers and a well-known electronic cigarette brand, Ignite. The company used influencers such as Gustavo Lima and Kevin O Chris to promote vodka from the same brand, but indirectly linked these products to smuggled vapes, which are highly popular in Brazil despite Anvisa's ban. The case not only exposed legal issues related to the indirect marketing of electronic smoking devices (ESDs), but also the tactics companies use to circumvent legislation and expand their reach. We will follow the investigation process and the outcomes of this report, as well as the challenges faced during the investigation and the article's impact on society.

Interview: Pedro Nakamura

1. How did the first indication arise that Ignite was using influencers to indirectly promote their vapes? What were the key sources of information that helped confirm this practice?

I was investigating whether the main electronic cigarette brands sold in Brazil maintained any formal operations here or in Paraguay. Since Ignite is one of them, I sought information and quickly realized that the company's vice president of sales is a Brazilian, a former director at Philip Morris and Ambev. I also noticed that they had recently registered a CNPJ (tax ID) in Brazil, which struck me as odd. The reference to Ambev also caught my attention, and I soon discovered that Ignite had a beverage brand. When searching social media, I found profiles promoting the brand's spirits, announcing an upcoming launch in Brazil, and observed that marketing on Instagram overlapped with Ignite's official pages abroad. This was the first clue. Then, through hashtags and posts on these profiles, I identified the initial influencer activities.

2. During the investigation, what were the biggest obstacles you and your team faced in obtaining information and confirming the involvement of such well-known influencers in Brazil? Was there resistance from those mentioned?



All the information was publicly available in open social media posts. Ignite's official pages made my job easier by archiving and storing stories and influencer partnerships in the "highlights" section of their Instagram profiles. The challenge was watching all the content and cataloging it. Another difficulty was the constant monitoring of these pages. For a week, I had to access a list of Ignite profiles daily to save shared stories, in addition to checking the profiles doing the promotions and analyzing how this network was organized. Social media information disappears quickly, so it was necessary to act fast to archive the evidence, which I was fortunately able to do.

3. When producing the article, how did you handle the complexity of associating the beverage marketing campaign with the indirect promotion of vapes, an illegal practice? Was there any extra caution taken in writing the piece to avoid potential legal repercussions?

Anvisa's resolution is quite clear about this prohibition. The regulation states that it is prohibited to use the brand of an electronic smoking device (DEF) on another product. It even seemed that the agency had foreseen cases like Ignite could happen. We contacted Anvisa to confirm this interpretation. Regarding legal precautions in the article's construction, since I didn't directly contact all the influencers I cataloged, I used terms like "endorsements,"

“ads,” and “partnerships”—which do not necessarily imply cash payments—since I couldn’t confirm the form of compensation for the posts. However, all the publications had an evident commercial nature. The volume of profiles found gave consistency to the conclusion that this was a marketing campaign, based on identified patterns: the same type of “gifted” products, standardized texts, and frequently tagged profiles.

4. What was the immediate impact of the article in the media and on social networks? Did you notice any change in the stance of the influencers or the company after the publication?

After the article was published, some outlets picked up the story, and Anvisa announced that it had launched an administrative health process to investigate the case. I didn’t notice any behavioral changes from Ignite, Nosso Drink (the beverage’s official distributor), or the influencers. Likely, any changes will only occur if legal action is taken. Among readers, the article was well-received for Núcleo’s standards, indicating interest in both the topic and the brand.

5. Considering the article’s content and the developments since its publication, do you believe this investigation could influence the regulation of marketing practices involving illegal products like electronic cigarettes? What practical outcomes do you expect to see from this exposure?

Based on health legislation, I believe compliance with the regulation will require the removal of the branded beverages from the market and the imposition of fines on those responsible for the campaign, potentially including some influencers. Anvisa’s regulations on the marketing of electronic cigarettes are already adequate and robust, but I would like to see them enforced more rigorously to prevent vape brands from operating so boldly. These companies are already active in Brazil and see it as a promising market. There is significant illegal trade, predominantly supplied by distributors from Paraguay, where electronic cigarettes are legalized, and these companies profit by exporting some of their products here. It wouldn’t be the first time the tobacco industry has adopted such a tactic. Smuggling is one of the ways they use to open new markets. Clearly, the goal of launching Ignite beverages was to increase exposure for the vape brand. Given the interest in legalizing the products, it’s not surprising that companies in the sector resort to irregular marketing strategies to secure market share. It

would also be interesting to see more effective action from the Public Ministry, Federal Revenue Service, and National Consumer Secretariat, in collaboration with Anvisa.

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## Profile of Senator Soraya Thronicke: The "Muse of Smoking" and Her Lobby for the Legalization of Electronic Nicotine Delivery Systems (ENDS)

Senator Soraya Thronicke, from Mato Grosso do Sul (Podemos party), has gained notoriety in the Brazilian political scene, often referred to as the "Muse of Smoking." Her rise to this title is closely tied to her advocacy for the legalization of ENDS in Brazil, a stance that undeniably benefits the tobacco industry.

In April 2024, Brazil's National Health Surveillance Agency (Anvisa) unanimously decided to uphold the ban on the commercialization, manufacturing, and importation of electronic cigarettes in the country. This decision should have effectively buried Bill No. 5,008/2023, authored by Thronicke, which aimed to legalize these products. However, the senator did not hesitate to criticize Anvisa, claiming that the ban favors the illegal trade and ignores the growing popularity of e-cigarettes in Brazil, where, despite the prohibition, around 4 million people are believed to have already tried these devices.

Thronicke frequently uses her social media platforms to advocate for the regulation of e-cigarettes, arguing that the current ban has adverse effects by allowing the entry of unregulated, contraband products. In her statements, the senator highlights her concern "as a mother," emphasizing the need for control over the products consumed by young people and adults. However, critics argue that her claims lack scientific backing and appear to be based on biased information, often linked to research commissioned by the tobacco industry.

The senator's stance is challenged by health experts. During a debate on TV Senado, pulmonologist Paulo César Corrêa pointed out that Thronicke's proposed regulation would only benefit the tobacco industry, which faces significant losses due to the social and economic

costs of smoking in Brazil. He stressed that ENDS are as harmful as traditional cigarettes, countering the notion that regulation would be a harm reduction measure.

Thronicke has also faced criticism for her apparent lack of knowledge about the risks associated with e-cigarettes and for her aggressive behavior in debates. Instead of engaging in constructive discussions, she has attacked experts and critics, disregarding scientific evidence about the harmful effects of the products she supports.

In March 2024, the senator was seen alongside Eduardo Caldeirari, director of Philip Morris Brazil, a moment perceived as a potential indication of industry influence on her legislative actions. The timing coincided with the presentation of a favorable report for the legalization of ENDS in the Senate's Economic Affairs Committee.

While Thronicke continues her battle for e-cigarettes, her opponents warn about the dangers her proposal poses to public health. The senator, seemingly indifferent to the growing number of studies highlighting the severe risks associated with e-cigarette use, remains steadfast in her defense, positioning herself as a controversial figure in a debate that involves the interests of the tobacco industry and the health of the Brazilian population.

This profile of Senator Soraya Thronicke reveals the complexity of her relationship with the tobacco industry and the challenges surrounding the regulation of electronic nicotine delivery systems in Brazil, where public health should prevail over economic interests.

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## PAHO Updates Strategic Action Plan to Strengthen Tobacco Control in the Americas Region 2025-2030

Tobacco consumption continues to be one of the leading public health threats worldwide, generating a significant social, economic, and environmental burden on countries, while exacerbating poverty and increasing inequalities. This consumption is harmful in all its forms, with no safe level of exposure to tobacco smoke, and is a preventable risk factor for the four main non-communicable diseases (NCDs): cardiovascular diseases, cancer, chronic respiratory diseases, and diabetes.

In the Americas, NCDs are the leading cause of mortality and disability, accounting for 81% of annual deaths. Tobacco use causes approximately one million deaths per year in the region, disproportionately affecting those living in low- and middle-income countries. Evidence on how to effectively address the tobacco epidemic in a cost-effective manner is abundant and is based on the implementation of mandates from the WHO Framework Convention on Tobacco Control (FCTC) and the Protocol to Eliminate Illicit Trade in Tobacco Products, as well as the guidelines from the WHO's MPOWER action plan. The WHO recognizes five measures contained in the FCTC as the best investments for preventing and controlling NCDs, making their implementation relevant for all Member States, regardless of their status in relation to the FCTC.

While significant progress has been made in recent years in the fight against the tobacco epidemic in the region, most Member States still do not fully meet their international commitments. This document proposes an action plan through 2030, prioritizing key measures to accelerate the implementation of the FCTC and enable Member States to achieve their tobacco consumption and premature mortality reduction goals related to NCDs.

The strategy and action plan incorporate an equity perspective, with special attention to vulnerable groups, and are aligned with regional and global decisions and mandates. Additionally, they incorporate lessons from the previous strategy (2018-2022) and cover both conventional and emerging tobacco products, including electronic nicotine delivery systems and so-called

"e-cigarettes."

This action plan represents an important step in strengthening tobacco control in the Americas, promoting public health, and addressing the ongoing challenges posed by the tobacco epidemic.

Source:

<https://www.paho.org/es/documentos/ce17418-estrategia-plan-accion-para-fortalecer-control-tabaco-region-americas-2025-2030>

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